

## Maryland Enacts Prohibition of Lead-Containing Children's Products

On May 13, 2008, the governor of Maryland approved House Bill 62 (Enrolled Chapter 483). The act, known as *Lead-Containing Children's Products – Prohibition*, takes effect July 1, 2008. This law prohibits the manufacture, sale, offer for sale, importation, or distribution, by any means, of a children's product determined to be a lead-containing product.

Under this law, a lead-containing product is defined as a product in which any part, component or coating of the product contains lead or lead compounds greater than the lesser of: (1) 0.06% by weight of the total weight of the part, component, or coating; or (2) the standard established under federal law regarding the permissible level of lead in children's products. A child is defined as an individual who is under the age of six (6) years, and a children's product is defined as a product that is marketed for use by a child or the use of which by a child is foreseeable. Such products include, but are not limited to, accessories and jewelry, clothing, decorative objects, furniture, lunch boxes and eating utensils, and toys, but exclude food. This law does not apply to electronic devices that contain lead, unless the Secretary of the Maryland Department of the Environment determines that there is a significant risk that a child could be exposed to the lead contained in the device through normal use.

Additionally under this law, manufacturers are required to determine whether a children's product is a lead-containing product by using an independent, accredited, third-party testing entity. Following such testing, manufacturers are required to issue a certificate for any product determined not to be a lead-containing product, and any such certificate must be transmitted with the product to any distributor or retailer who receives the product. Both manufacturers and retailers must maintain copies of such certificates and provide copies of them to any person upon request.

STR offers analytical expertise in lead content testing. Our hazard prevention program for toys includes comprehensive safety testing, audit, inspection as well as responsible sourcing services. For more information, contact us at [inquiry@strus.com](mailto:inquiry@strus.com).

**LINK:**

[House Bill 0062](#)